



November 25, 2019

The Illinois Department of Children and Family Services (DCFS) and the Illinois State Board of Education (ISBE) have a goal of building strong partnerships with schools across the State. For this reason, DCFS and ISBE issue this joint message to schools in Illinois about child abuse and neglect investigations.

DCFS is responsible for receiving and responding to allegations of child abuse and neglect pursuant to a law titled the "Abused and Neglected Child Reporting Act" (ANCRA), 325 ILCS 5/1 *et seq.* DCFS's priority in investigating reports of child abuse and neglect is the safety of the children identified in these reports.

ISBE is responsible for K-12 educational policies and guidelines that support a focus on achievement, equity, and progress. Pursuant to the *in loco parentis* doctrine, teachers and other certificated school employees in Illinois stand in the relation of parents and guardians to their pupils. In that capacity, they also take seriously the responsibility of maintaining student data in a way that is secure and respects the privacy of students and parents consistent with State and federal privacy laws.

DCFS investigators, known as child protection specialists, are required to make immediate in-person contact with alleged child victims. Child protection specialists have the legal authority and duty under ANCRA to interview and take photographs of the alleged child victims without the consent or presence of a parent or guardian when required to assure the safety of the child. Child protection specialists also have the legal authority and duty under ANCRA to take protective custody of a child without the consent or presence of a parent or guardian.

School personnel are required to cooperate with child protection specialists to collect information relative to a pending investigation. Therefore, even without a court order or notice to a parent or guardian, the school district shall provide child protection specialists reasonable access to a suspected victim of child abuse or neglect for interviewing the child at school. The principal or designee may insist upon their presence during the interview and condition the requested interview of the child at school on the principal's or designee's presence during the interview. If child protection specialists seek to physically examine or photograph at school a student suspected of being abused or neglected, they shall inform the principal or the principal's designee of the child protection specialist's intent to secure photographs during the interview, and the principal or designee shall permit the child protection specialist's examination or photographs at a reasonable time and place. If the principal or designee is present during the examination or photographing, they will not participate in the examination or photographing of the student.

Should you have any questions or concerns, please do not hesitate to contact ISBE's Safe and Healthy Climates Department at (217) 782-5270 or DCFS's Office of Education at (217) 557-2690.

A blue ink signature of Marc D. Smith, consisting of stylized, overlapping letters.

Marc D. Smith
Acting Director
Illinois Department of Children & Family Services

A blue ink signature of Dr. Carmen I. Ayala, written in a cursive style.

Dr. Carmen I. Ayala
State Superintendent of Education
Illinois State Board of Education